

COLORADO STATE, HEALTHY FAMILIES AND WORKPLACES EMPLOYEE NOTICE

Colorado Senate Bill 20-205

Designed to require employers to provide employees with up to 48 hours of earned paid sick leave.
Beginning 01/01/2021

- **HOW DO EMPLOYEES BECOME ELIGIBLE FOR PAID SICK LEAVE?**

Employees begin to accrue paid sick leave upon hire and can use sick leave just as soon as it's accrued.

- **HOW DO EMPLOYEES ACCRUE PAID SICK LEAVE?**

Hourly Employees will earn 1 hour of paid sick leave for every 30 hours worked. Up to 48 hours of paid sick leave per year.

- **WHAT ARE APPLICABLE REASONS FOR TAKING ACCRUED PAID SICK LEAVE?**

Employees may use accrued paid sick leave for the following reasons:

The employee:

- (i) Has a mental or physical illness, injury, or health condition that prevents the employee from working;
- (ii) Needs to obtain a medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or
- (iii) Needs to obtain preventive medical care.

The employee needs to care for a family member who:

- (i) Has a mental or physical illness, injury, or health condition;
- (ii) Needs to obtain a medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or
- (iii) Needs to obtain preventive medical care.

The employee or the employee's family member has been the victim of domestic abuse, sexual assault, or harassment and the use of leave is to:

- (i) Seek medical attention for the employee or the employee's family member to recover from a mental or physical illness, injury, or health condition caused by the domestic abuse, sexual assault, or harassment;
- (ii) Obtain services from a victim services organization;
- (iii) Obtain mental health or other counseling;
- (iv) Seek relocation due to the domestic abuse, sexual assault, or harassment; or

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(v) Seek legal services, including preparation for or participation in a civil or criminal proceeding relating to or resulting from the domestic abuse, sexual assault, or harassment;

Due to a public health emergency, a public official has ordered closure of:

(i) The employee's place of business; or

(ii) The school or place of care of the employee's child and the employee needs to be absent from work to care for the employee's child.

- WHAT ARE THE REQUIREMENTS WHEN TAKING PAID SICK LEAVE?

Employees must take paid sick leave in no less than 1 hour increments.

When requesting paid sick leave you will need to call HR at 719-272-7200 XT: 209 for the HR Director or XT: 205 for Payroll.

- DOES MY UNUSED PAID SICK LEAVE ROLL OVER FROM YEAR TO YEAR?

Yes you will not lose your paid sick leave it will roll over from year to year. However you cannot use more than 48 hours in a calendar year.

- PAID SICK LEAVE AT EMPLOYMENT SEPERATION.

Regardless of the reason for employment separation. Employers are not required to pay out unused paid sick leave at time of separation.

If employment separation occurs and you are rehired within 6 months, any prior unused paid sick leave will be reinstated.

- PAID SICK LEAVE AND PUBLIC HEALTH EMERGENCIES.

In addition to the standard paid sick leave as described above, employees are entitles to a 1 time grant of leave in the event of a "public health emergency."

"A public health emergency is defined as an act of bioterrorism, a pandemic influenza, or an epidemic caused by a novel and highly fatal infectious act, for which: (1) a disaster emergency is declared by the governor; or (2) an emergency is declared by a federal, state, or local public health agency; or (3) a highly infectious illness or agent with epidemic or pandemic potential for which a disaster emergency is declared by the governor."

"To ensure employees may take paid sick leave for the reasons below, employers must supplement employees' accrued paid sick leave as necessary (at least 80 hours for employees who work at least 40 hours a week; for employees who work fewer than 40 hours a week, the amount of time the employee is scheduled to work or the average of what the employee actually works in a 14-day period, whichever is greater):"

"An employee's need to:

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- (i) Self-isolate and care for oneself because the employee is diagnosed with a communicable illness that is the cause of a public health emergency;
- (ii) Self-isolate and care for oneself because the employee is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- (iii) Seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- (iv) Seek preventive care concerning a communicable illness that is the cause of a public health emergency; or
- (v) Care for a family member who:
 - (a) Is self-isolating after being diagnosed with a communicable illness that is the cause of a public health emergency;
 - (b) Is self-isolating due to experiencing symptoms of a communicable illness that is the cause of a public health emergency;
 - (c) Needs medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency; or
 - (d) Is seeking preventive care concerning a communicable illness that is the cause of a public health emergency;

Or if:

- (i) A local, state, or federal public official or health authority having jurisdiction over the location in which the employee's place of employment is located or the employee's employer determines that the employee's presence on the job or in the community would jeopardize the health of others because of the employee's exposure to the communicable illness or because the employee is exhibiting symptoms of the communicable illness, regardless of whether the employee has been diagnosed with the communicable illness;

Or to:

- (ii) Care for a family member after a local, state, or federal public official or health authority having jurisdiction over the location in which the family member's place of employment is located or the family member's employer determines that the family member's presence on the job or in the community would jeopardize the health of others because of the family member's exposure to the communicable illness or because the family member is exhibiting symptoms of the communicable illness, regardless of whether the family member has been diagnosed with the communicable illness;

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(iii) Care for a child or other family member when the individual's child care provider is unavailable due to a public health emergency, or if the child's or family member's school or place of care has been closed by a local, state, or federal public official or at the discretion of the school or place of care due to a public health emergency, including if a school or place of care is physically closed but providing instruction remotely;

Or due to:

(iv) An employee's inability to work because the employee has a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of the public health emergency.

Employers may count an employee's unused, accrued paid time off toward this supplemental leave. Employers may not require documentation for taking this leave and employees may use this leave up until four weeks after the official termination or suspension of the public health emergency.”

Employers cannot retaliate against an employee for requesting, or using paid sick leave. Employees have the right to file a complaint or bring a civil action if paid sick leave is denied by the employer, or the employer retaliates against the employee for exercising the employee's rights.

A copy of this notice is available in your digital breakroom at:

<https://www.luceresearch.com/remote/>

Simply scroll down to the bottom of this web address and select:

“COLORADO STATE, HEALTHY FAMILIES AND WORKPLACES EMPLOYEE NOTICE”

Here is a link the signed SENATE BILL 20-205:

https://leg.colorado.gov/sites/default/files/2020a_205_signed.pdf

If for any reason either of these links are not working please immediately contact HR at 719-272-7200 XT: 209